



~~July 17, 2007 CPC~~
August 22, 2007 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

07SN0344

New Deliverance Evangelistic Church

Midlothian Magisterial District
1701 Turner Road

REQUEST: Conditional Use to permit a private school and child care facility in an Agricultural (A) District.

PROPOSED LAND USE:

A private school and child day care facility are currently operated in conjunction with a church use.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITIONS ON PAGE 2.

AYES: MESSRS. GECKER, GULLEY, BASS AND WILSON.
ABSENT: MR. LITTON.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The private school and child care uses have no greater impact on existing and anticipated area residential development than does the permitted church or public school uses.
- B. The conditions address land use compatibility between the proposed uses and area residential development.

- C. Similar facilities, located adjacent to residential areas, have been approved throughout the County with no apparent adverse impact on residential uses.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITIONS

- | | | |
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| (STAFF/CPC) | 1. | The operation of the private school and child day facility shall be in conjunction with church use on the property. (P) |
| (STAFF/CPC) | 2. | Except where the requirements of the underlying Agricultural (A) zoning are more restrictive, any new development for the school or child day facility shall conform to the requirements of the Zoning Ordinance for Corporate Office (O-2) uses in Emerging Growth Areas. (P) |
| (STAFF/CPC) | 3. | The following setback criteria shall apply to any outdoor play fields, courts, swimming pools and similar active recreational areas: <ul style="list-style-type: none">a. With the exception of playground areas which accommodate swings, jungle gyms or similar such facilities, all active play fields, courts, swimming pools or similar active recreational facilities which could accommodate organized sports such as football, soccer, basketball, etc., shall be located a minimum of 100 feet from adjacent properties. Within this setback, existing vegetation shall be supplemented, where necessary, with landscaping or other devices designed to achieve the standards for fifty (50) buffers in the Zoning Ordinance.b. If active play fields, courts, swimming pools and similar active recreational areas are set back more than 100 feet from the adjacent properties, the landscaping or other design features described in Condition 3.a may be modified by the Planning Department at the time of site plan review. Such modification shall accomplish mitigation of the visual and noise impacts that sports or related activities have on adjacent properties equivalent to the 100 foot setback/landscaping requirements described in Condition 3.a.c. Any playground areas (swings, jungle gyms or similar such facilities) shall be set back a minimum of forty (40) feet from all property lines. (P) |

GENERAL INFORMATION

Location:

East line of Turner Road, north of Hull Street Road and better known as 1701 Turner Road.
Tax ID 765-699-3061.

Existing Zoning:

A

Size:

17.1 acres

Existing Land Use:

Church

Adjacent Zoning and Land Use:

North – R-9 and A; Single family residential
South, East and West – A; Single family residential and public/semi-public (church)

UTILITIES

Public Water System:

There is an existing twenty (20) inch water line extending along the east side of Turner Road within an easement across this site. In addition, an eight (8) inch water line extends across the request site between the existing twenty (20) inch water line and an existing eight (8) inch water line in Buggy Drive. The existing church building is connected to the public water system. Use of the public water system is required by Code for any additional structures.

Public Wastewater System:

There is an existing eight (8) inch wastewater collector line extending along Buggy Drive and continuing onto the northwestern portion of the church site. The existing church building is connected to the public wastewater system. Use of public wastewater is required by county code for any future structure built on-site.

ENVIRONMENTAL

The uses will have no impact on drainage or erosion.

PUBLIC FACILITIES

Fire Service:

The Manchester Fire Station, Company Number 2, and Manchester Volunteer Rescue Squad currently provide fire protection and emergency medical service (EMS). This request will have a minimal impact on fire and EMS services.

Transportation:

The subject property is located on the east side of Turner Road just north of the Hull Street Road intersection. The applicant is requesting a Conditional Use to permit a child day care facility and private school use in an Agricultural (A) district.

This request will not limit the number of students in the school or day care; therefore, it is difficult to anticipate traffic generation. A private school with 200 students and a day care center with fifty (50) children are anticipated to generate approximately 720 average daily trips (ADT). Per conversations with the church, the current enrollment of the private school and day care is no more than eighty (80) students/children and the hours of operation are from 6:30 am to 6:00 pm.

This traffic would be distributed along Turner Road which had a 2006 traffic count of 12,449 vehicles per day between Elkhardt Road and Hull Street Road. This section of Turner Road is a five (5) lane section which accommodates left turn movements in the center lane. Based on the volume of traffic carried during peak hours, Turner Road in this area is functioning at an acceptable level (Level of Service A). No public road improvements in this part of the county are currently included in the Six-Year Improvement Plan.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Eastern Midlothian Plan which suggests the property is appropriate for residential use of 2.51 to 4.0 units per acre.

Area Development Trends:

Surrounding properties are zoned Residential (R-9) and Agricultural (A) and are occupied by single family residences within the Andersons Forge Subdivision or on acreage parcels, or public/semi-public uses (church). It is anticipated that any redevelopment in this area will be limited to residential development at densities suggested by the Plan.

Site Design:

The request property has been developed as a church with associated parking facilities. The applicant intends to continue to use the existing facilities to accommodate the private school and child day care center uses. The recommended conditions would require any new development for school or child day care uses to conform to the development standards of the Ordinance for commercial uses in Emerging Growth Areas except where the underlying zoning requirements are more restrictive (Condition 2). Emerging Growth Standards address architectural treatment, access, parking, landscaping, setbacks, signs, utilities and screening of dumpsters and loading areas.

Buffers and Screening:

As noted herein, adjacent properties are zoned residentially and agriculturally and are either occupied by single family residences or for church use. Any proposed outdoor recreational facilities and playgrounds associated with the private school or child day care use should be set back from this adjacent residential development (Condition 3). In addition, compliance with emerging growth district standards address buffers adjacent to area residential development.

CONCLUSION

A private school and child day care facility are currently operated on the property with no apparent adverse impact upon existing area residential development. The recommended conditions address land use compatibility issues between the use and area residential development. These conditions are similar to those imposed on similarly situated facilities.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (7/17/07):

The applicant accepted the recommendation. There was no opposition present.

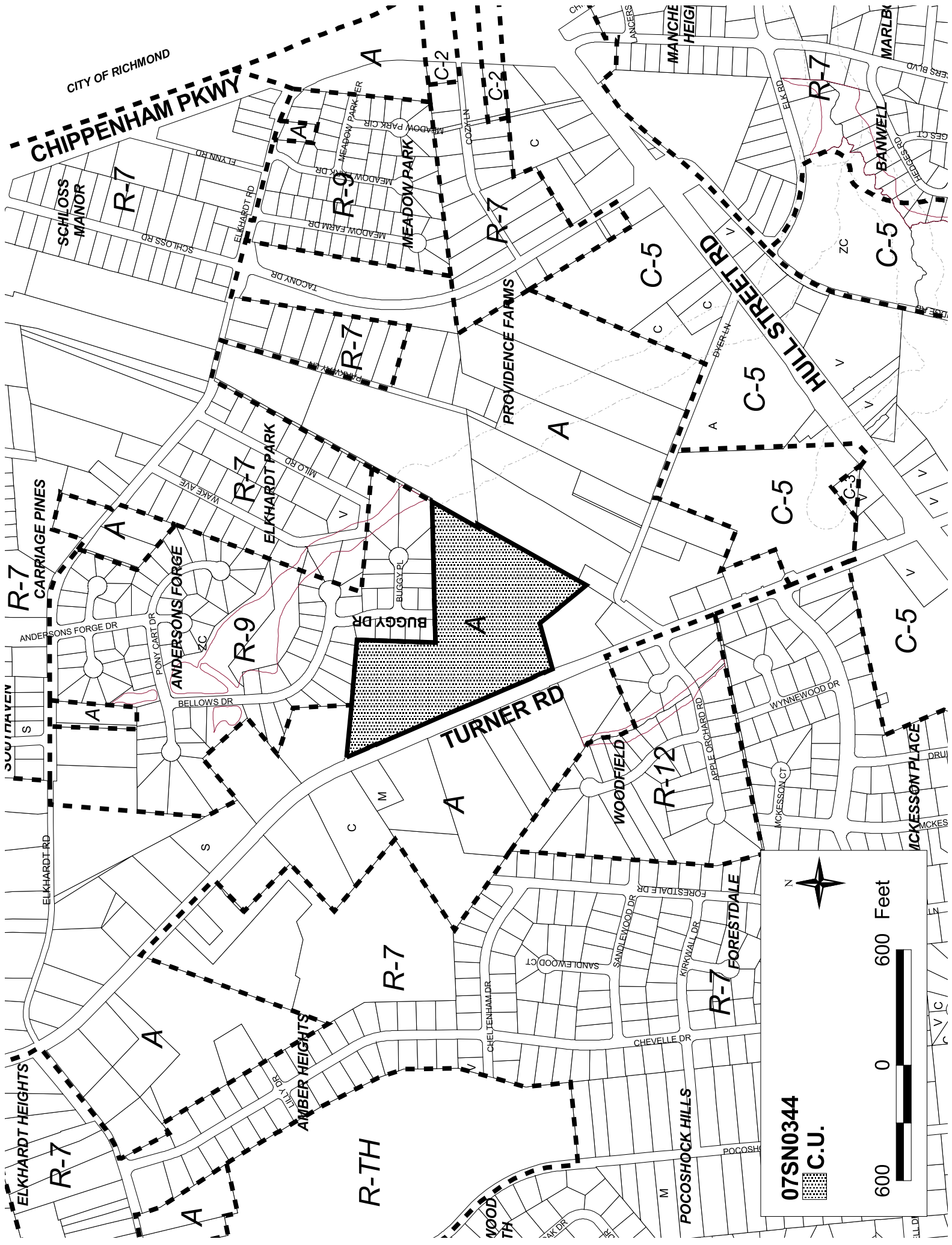
On motion of Mr. Gecker, seconded by Mr. Bass, the Commission recommended approval subject to the Conditions on page 2.

AYES: Messrs. Gecker, Gulley, Bass and Wilson.

ABSENT: Mr. Litton.

The Board of Supervisors, on Wednesday, August 22, 2007, beginning at 6:30 p.m., will take under consideration this request.

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